

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (AT DAYTON)**

KILLER BROWNIE, LTD.	*	CASE NO. 3:07cv0363
	*	
PLAINTIFF,	*	JUDGE WALTER HERBERT RICE
	*	
VS.	*	
	*	
THE KILLER BAKING CO.	*	<u>CONSENT JUDGMENT</u>
	*	
DEFENDANT.	*	

Now come the parties hereto and hereby agree to the following Consent Judgment:

Plaintiff is hereby awarded judgment against the Defendants, individually and collectively as follows:

1. Defendant shall undertake all activities within his control to transfer the domain name killerbrowniecompany.com to Plaintiff within twenty days from the date of this Consent Judgment;

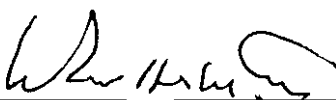
2. Defendant agrees to pay Plaintiff the amount of \$933.54 via certified funds within twenty days from the date of this Consent Judgment;

Defendant agrees to the following terms of this Consent Judgment:

3 Defendant, and all other persons, firms, or corporations in privity with Defendant or under Defendant's control shall immediately and permanently cease all use of the trademark Killer Brownie and any other mark, trade name, domain name, or other name confusingly similar thereto, including but not limited to Killer Brownie, the mark which is registered as U.S. Registration Number 1,484,734. In the event of a violation by Defendant, Plaintiff shall provide Defendant written notice of the violation, and provided such violation is not cured within ten days of said notice, Plaintiff may pursue all remedies provided by law, and Defendant will not contest jurisdiction in the United States District Court, Southern District of Ohio.

4. Plaintiff will voluntarily dismiss, with prejudice, the action filed in the United States District Court, Southern District of Ohio at Dayton within ten days after Defendant fulfills the obligations stated in paragraphs 1 and 2 of this Consent Judgment.

SO ORDERED.



Judge Walter Herbert Rice

PICKREL, SCHAEFFER & EBELING

s. Andrew C. Storar
ANDREW C. STORAR (0018802)
SUZANNE P. BECK (077425)
2700 Kettering Tower
Dayton, OH 45423
(937) 223-1130
(937) 223-0339 – Facsimile
sbeck@pselaw.com

ATTORNEYS FOR PLAINTIFF
KILLER BROWNIE, LTD.

THE KILLER BAKING CO.

By /s/ Michael T. Garzouzi, Pres.